

THE CITY OF CLAYTON

Board of Aldermen Meeting
Council Chambers - 10 N. Bemiston Avenue
March 13, 2012
6:30 p.m.

Alderman Winings moved that Board adjourn from the Discussion Session to a closed meeting, with a closed vote and record, as authorized by Section 610.021(1), (2) and (3) Revised Statutes of Missouri, relating to legal issues, real estate and/or personnel, and to discuss matters related to negotiation of a contract pursuant to Section 610.021(12), RSMo. and/or proprietary information pursuant to Sec. 610.021(15). Alderman Goodman seconded the motion.

The motion passed unanimously on a roll call vote cast as follows: Alderman Goodman – Aye; Alderman Garnholz – Aye; Alderman Winings – Aye; and Mayor Pro Tempore Lichtenfeld – Aye.

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7:00 p.m.

Minutes

Mayor Pro Tempore Lichtenfeld called the meeting to order and requested a roll call. The following individuals were in attendance:

Aldermen: Judy Goodman, Andrea Maddox-Dallas, Cynthia Garnholz, and Mark Winings

Mayor Pro Tempore Lichtenfeld
City Manager Owens
City Attorney O'Keefe

Absent: Mayor Goldstein
Michelle Harris

Mayor Pro Tempore Lichtenfeld asked for any questions or comments relating to the February 28, 2012 minutes, which were previously provided to the Board.

Alderman Goodman moved to approve the February 28, 2012 minutes. Alderman Maddox-Dallas seconded the motion.

Alderman Winings noted that he sent the City Clerk a correction via email. City Clerk June Waters stated that the correction has been made to the minutes.

The motion to approve the minutes passed unanimously on a voice vote.

PUBLIC REQUESTS AND PETITIONS

Mr. Gary Feder, President, Clayton Century Foundation gave a brief presentation and an update on the Clayton Century Foundation's activities and projects. Following the presentation Mr. Feder and members of the CCF dedicated a Business Founders Plaque to the City.

Mayor Pro Tempore Lichtenfeld thanked Mr. Feder stating that it was an impressive presentation and also a very impressive list of founders.

Alderman Goodman commented that the Board recognizes that the City could not have made those types of enhancements to the community with capital improvement projects that are culturally oriented without the private sector stepping up to help. She said that this is a tremendous investment and it really helps to keep the community "top-flight", and first rate. This is good for the residents, for the work force, and it's great for visitors who come to Clayton and see these attractions as a destination and she thanked Mr. Feder and the CCF members.

Mayor Pro Tempore Lichtenfeld introduced Petey as the winner of the 2012 Clayton Century Foundation's mascot contest. Petey and his owner, Mr. Paul Dueker was in attendance to accept a proclamation from the City recognizing March 13, 2012 as *Petey's Day*.

Alderman Goodman also thanked Ms. Joan Kiburz for the gift of the handmade needlepoint collar for Petey.

A PUBLIC HEARING AND RESOLUTION TO CONSIDER APPROVING AN AMENDMENT TO A CONDITIONAL USE PERMIT FOR THE WILSON SCHOOL LOCATED AT 400 DEMUN AVENUE

Alderman Goodman moved to open the public hearing to consider a request for a Conditional Use Permit for The Wilson School, 400 DeMun Avenue and request proof of publication. Alderman Maddox-Dallas seconded.

The motion passed unanimously on a voice vote.

City Manager Owens reported that this is a public hearing and resolution regarding an application for an amendment to a Conditional Use Permit submitted by The Wilson School to allow for the construction of a below-grade addition, first floor renovations and an exterior stair addition.

Amendments to Conditional Use Permits are required for the expansion of a private school in the R-2 Zoning District.

The last significant expansion to the school occurred after the approval of a Conditional Use Permit in 2004 for an underground gymnasium and 6-space parking lot.

The below-grade addition will add approximately 4,500 square feet of space to the school. A portion of the lower level addition is currently crawl space and an old coal room. The addition will be located adjacent to existing classrooms and will consist of an expansion of the existing foreign language room, a computer classroom (currently located on the first floor) and the creation of an innovation (media) room. The project also includes 950 square feet of first floor renovations as part of the expansion of the foreign language room. The 317 square foot exterior stair addition will enhance emergency access from the lower level.

The applicant indicates that no additional classrooms are being created as a result of this project; therefore, the number of individuals using the site and the amount of traffic will not increase. Additionally, the hours of operation and school activities will not change. Since the project involves expanding existing classrooms, additional parking is not required.

The facility expansion is primarily underground and, consequently, the impact to surrounding properties due to a larger structure or noise due to school related activities will be minimal. The stairway addition, to be located on the south side of the existing structure, is the primary exterior change. The stairway will be screened by an existing 6-foot high vinyl fence which abuts a 10-foot high chain link fence.

Though separate from this CUP amendment, you may also wish to be aware that on February 6, 2012, the Architectural Review Board approved a new front yard plaza along DeMun Avenue, a monument sign at the intersection of DeMun Avenue and Fauquier Drive, a front yard wall on the southwest corner of the site, replacing the chain link fence, landscaping and new entry vestibule off DeMun Avenue.

The Plan Commission considered this Conditional Use Permit request at its February 21, 2012, meeting and voted unanimously to recommend approval. The Architectural Review Board considered also the design and materials of the proposed exterior stair and unanimously approved.

Recommendation is to approve an amendment to the Conditional Use Permit for the expansion of The Wilson School.

Mr. Thad Faulkner, representative of The Wilson School, addressed the Board stating that they are glad to be before the Board and are excited about the expansion.

In response to Alderman Goodman's question, Mr. Faulkner explained that there will not be any modifications to the front entrance or any changes to the parking and flow of the School's traffic.

In response to Alderman Garnholz's question, Mr. Faulkner stated that the exterior stairs on the facade side will go from the basement to ground level and is designed to be enclosed making the view obstructed from the lower playground area.

In response to Alderman Maddox-Dallas' question, Mr. Faulkner stated that they have cancelled the School's summer camp program and there will be no staff; therefore there will be no impact on parking due to the construction vehicles.

Alderman Goodman confirmed that the School officials have thoroughly involved the neighbors and trustees in their conversations and have offered a Saturday session inviting the neighbors to look at the School's plans.

Mayor Pro Tempore Lichtenfeld commented that the Plan Commission reviewed in depth and approved the project and he stated that this was a creative solution to expansion of the School.

Alderman Goodman moved to close the public hearing to consider a request for a Conditional Use Permit for The Wilson School, 400 DeMun Avenue. Alderman Maddox-Dallas seconded.

The motion passed unanimously on a voice vote.

Alderman Goodman moved to approve Resolution No. 12-7 and approve a Conditional Use Permit for The Wilson School, 400 DeMun Avenue. Alderman Maddox-Dallas seconded.

The motion passed unanimously on a voice vote.

AN ORDINANCE TO APPROVE A PROJECT AGREEMENT WITH THE CLAYTON CENTURY FOUNDATION FOR THE CENTURY GARDEN PUBLIC ART PROJECT

City Manager Owens reported that on April 27, 2010, in order to formalize the partnership between the Clayton Century Foundation (CCF) and the City of Clayton (City), a Memorandum of Understanding was adopted by the parties that outlined the shared vision of how this public/private partnership would work in order to effectively and responsibly serve reasonable public and private interests on behalf of the City. Since that time, the CCF has worked diligently to fund projects that were part of the City's Master Plan and were on the approved project list provided to them by the City.

One such project is the commissioning of an art piece for the Century Garden in Shaw Park. In 2011, the Centene Charitable Foundation committed to the funding of this acquisition. The piece designed by James Surls titled *Molecular Bloom with Single Flower* was selected. If approved, this 18 ½ foot bronze and steel sculpture will be permanently installed on a base in the garden in May 2013. It is the intent of the donor to structure his donations so that they are aligned with this project agreement and the subsequent contract with Mr. Surls.

In order to formalize the terms and conditions of this gift, the attached Project Agreement has been jointly developed. Included in this document is a detailed scope of work, payment arrangements as well as other items related to the timing of the project, signage, insurance, maintenance and reporting responsibilities. If approved, this document will serve as a template for future projects that are slated to receive funds from the Clayton Century Foundation.

Recommendation is to approve the Project Agreement with the Clayton Century Foundation for the Century Garden Public Art Project.

Alderman Goodman introduced Bill No. 6309 to consider an ordinance to approve an agreement with the Clayton Century Foundation for the Century Garden Public Art project to be read for the first time by title only. Alderman Maddox-Dallas seconded.

The motion passed unanimously on a voice vote.

City Attorney O'Keefe reads Bill No. 6309, an ordinance to approve an agreement with the Clayton Century Foundation for the Century Garden Public Art project for the first time by title only.

Alderman Goodman stated that Gary Feder has been instrumental in creating the agreement and contract. She thanked Mr. Feder, Centene's legal team, and City Attorney O'Keefe for being able to create the agreement and contract to help the project move forward.

The motion passed unanimously on a voice vote.

Alderman Goodman introduced Bill No. 6309 to consider an ordinance to approve an agreement with the Clayton Century Foundation for the Century Garden Public Art project to be read for the second time by title only. Alderman Maddox-Dallas seconded.

The motion passed unanimously on a voice vote.

City Attorney O'Keefe reads Bill No. 6309 for the second time; Alderman Goodman – Aye; Alderman Maddox-Dallas – Aye; Alderman Garnholz – Aye; Alderman Winings – Aye; and Mayor Pro Tempore Lichtenfeld – Aye. The Bill was adopted and became Ordinance No. 6192 of the City of Clayton.

AN ORDINANCE TO APPROVE A CONTRACT WITH THE ARTIST JAMES SURLS FOR THE CENTURY GARDEN PUBLIC ART PROJECT

City Manager Owens reported that over the past year, the Clayton Century Foundation (CCF) has worked with a panel of experts and city representatives to select a signature piece of art for the Century Garden in Shaw Park. This Brentwood Boulevard entry into the park is located between the pool and the ice rink and has been home to several significant art pieces that have been on loan from Washington University and the St. Louis Art Museum. The goal of the CCF was to select a piece that would be a permanent addition to the city's art collection and would be installed as part of the celebration of the city's centennial year.

In 2011, VIA Partnership was retained by the city to assist with this process. The process began with a call to artists to submit their qualifications for this work. The panel then narrowed the selection down to four artists who presented their proposals for the site specific project on December 12, 2011. The piece designed by James Surls titled *Molecular Bloom with Single Flower* was selected. If approved, this 18 ½ foot bronze and steel sculpture will be permanently installed on a base in the garden in May 2013.

The scope of work for the artist includes the following components:

- Submission of final design and engineering drawings to the city for approval
- Fabrication of the piece
- Input to Landscape Design Consultant on the site
- Transportation and installation of the artwork

Landscaping and site work will not be included in this contract and will be handled through a separate agreement with a Landscape Architect. The Clayton Century Foundation and Parks and Recreation Commission have endorsed the selection of this piece at their January 25, 2012 and February 5, 2012 meetings, respectively.

The Centene Charitable Foundation has pledged to fully fund this project. It is the intent of the City to enter into a project agreement with the Clayton Century Foundation that will outline the terms of payment to the City in order to align them with the payment schedule outlined in this contract. The total fee for the work is \$400,000.

Recommendation is to approve the contract with James Surls for the Century Garden Public Art Project.

Alderman Goodman introduced Bill No. 6310 to consider an ordinance to approve a contract for the Centennial Park Art Project to be read for the first time by title only. Alderman Maddox-Dallas seconded.

City Attorney O'Keefe reads Bill No. 6310, an ordinance to approve a contract for the Centennial Park Art Project for the first time by title only.

The motion passed unanimously on a voice vote.

Alderman Goodman acknowledged and thanked Beverly Wagner for leading the group to the artist James Surls.

Alderman Goodman introduced Bill No. 6310 to consider an ordinance to approve a contract for the Centennial Park Art Project to be read for the second time by title only. Alderman Maddox-Dallas seconded.

City Attorney O'Keefe reads Bill No. 6310 for the second time; Alderman Goodman – Aye; Alderman Maddox-Dallas – Aye; Alderman Garnholz – Aye; Alderman Winings – Aye; and Mayor Pro Tempore Lichtenfeld – Aye. The Bill was adopted and became Ordinance No. 6193 of the City of Clayton.

AN ORDINANCE TO APPROVE A CONTRACT WITH GEISSLER ROOFING COMPANY FOR THE MUNICIPAL GARAGE ROOFING PROJECT

City Manager Owens reported that the scope of work in this project includes the removal of the existing roofing on the City's municipal garage and the installation of a new single membrane roofing system. Bids were opened on February 28th. The City received five (5) fully responsive bids as shown on the attached bid tabulation. Geissler Roofing Company submitted the low bid in the amount of \$214,706.48.

The Revolving Public Improvement Fund has \$338,000.00 budgeted for this activity in FY 2012. The Department of Public Works is requesting approval of the contract for \$214,706.48, which represents the bid submitted by Geissler Roofing Company. In addition, the City Manager

requests authorization for the Manager or his designate representative to approve change orders in an amount not to exceed \$32,206.00, which is approximately 15% of the contract value. This contingency would be used to cover the cost of executing Alternate #1, for the removal of a chimney that is no longer needed, and to cover expenditures to correct unknown site issues that become apparent during the project.

Recommendation is to approve the ordinance authorizing a contract with Geissler Roofing Company in the amount of \$214,706.48, plus a contingency of \$32,206 for the Municipal Garage Roofing Project.

Alderman Goodman introduced Bill No. 6311 to consider a contract for the replacement of the municipal garage roof to be read for the first time by title only. Alderman Maddox-Dallas seconded.

In response to Mayor Pro Tempore Lichtenfeld's question, Michael Pratt stated that the City has never used Geissler Roofing Company in the past, but they did an extensive background check and received a very positive evaluation and added that Geissler is currently doing a project for St. Louis County and the county contact person gave a positive evaluation of Geissler's work.

Alderman Garnholz referenced #9 on the bid spreadsheet and asked if there was any cause for concern since Geissler's bid was so much lower than the others. Michael Pratt explained that the low bid does not concern him or his staff because certain aspects of a bid item can vary from contractor to contractor and pointed out that the bottom line does not show a big variance.

City Manager Owens also pointed out an example on line #2 of the bid sheet where the cost of the removal is considerably higher than the others.

In response to Alderman Goodman's question, Michael Pratt stated that the new roof will be a single-ply membrane and they expect 20 year longevity. He added the insulation is rated R30 and explained that the roof is currently leaking which requires its replacement. He also explained that they are requesting a 15% contingency because of some possible unknown repairs or issues that may come up as they do the demolition.

Michael Pratt also explained that the current garage will also be usable during construction because the contractor will cover the structure with a waterproof, weather sturdy tarp.

City Attorney O'Keefe reads Bill No. 6311, an ordinance to consider a contract for the replacement of the municipal garage roof for the first time by title only.

The motion passed unanimously on a voice vote.

Alderman Goodman introduced Bill No. 6311 to consider a contract for the replacement of the municipal garage roof to be read for the second time by title only. Alderman Maddox-Dallas seconded.

City Attorney O'Keefe reads Bill No. 6311 for the second time; Alderman Goodman – Aye; Alderman Maddox-Dallas – Aye; Alderman Garnholz – Aye; Alderman Winings – Aye; and Mayor Pro Tempore Lichtenfeld – Aye. The Bill was adopted and became Ordinance No. 6194 of the City of Clayton.

A RESOLUTION TO APPROVE A CONTRACT WITH NOVAK CONSULTING INC. FOR A COMPREHENSIVE STRATEGIC PLAN

City Manager Owens reported that one of the goals and priorities of the City for 2012 is to conduct a comprehensive Strategic Planning process to include broad community input. The Strategic Plan to be adopted as we enter the second century for the City of Clayton will spell out a plan for the community for the next 20 years with a detailed implementation plan for the next 5 years.

A nation-wide search was conducted for a firm to assist the City in the development of this plan. The scope of work is to include a detailed environmental scan to document current trends and conditions of the city that will affect strategies for the future, broad public engagement that will include all segments of the community and utilize a variety of communication and input methods to ensure diverse involvement, and delivery of a detailed plan that will include responsible parties, timelines, specific steps and measurable indicators of progress. The Strategic Plan will guide operational and policy decisions for the next twenty years for the City of Clayton.

The Novak Consulting Group was selected through a competitive selection process that included two interviews involving staff, elected officials and community members. They have deep experience in working with municipal governments throughout the US on this type of work and have delivered plans that have a good history of successful implementation. In addition to the interviews we have conducted reference checks and studied many examples of the work they have produced for previous clients.

The negotiated scope and fee totals \$92,000 and will take up to nine months to complete to be ready for the 2013 centennial year. The City budgeted \$100,000 for this work.

Staff recommends approval of a resolution authorizing the city manager to execute a contract with The Novak Consulting Group in an amount of \$92,000 to assist the city in development of its Strategic Plan.

Alderman Goodman moved to approve Resolution No. 12-8, a contract with Novak Consulting Group for the development of a strategic plan. Alderman Maddox-Dallas seconded.

The motion passed unanimously on a voice vote.

Other

Mayor Pro Tempore Lichtenfeld commented that the City is very lucky to have both individuals and business leaders in Clayton that step forward for the good of the citizens of the entire city whether they are residents or a business. He feels that we continually owe these leaders a debt of gratitude for their work.

There being no further regular business the meeting adjourned at 7:43 p.m.

Mayor

ATTEST:

City Clerk